

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAY 2 2002

Mr. James H. Davey  
Vice President  
Enviro Jet Technologies  
A Division of Miller Environmental Group  
538 Edwards Avenue  
Calverton, New York 11933

Dear Mr. Davey:

Enclosed is the EPA's approval which authorizes Enviro Jet Technologies (Enviro Jet) to remove polychlorinated biphenyls (PCBs) from metallic pipe or piping using a non-thermal high pressure spray cleaning technology. The Office of Pollution Prevention and Toxic (OPPT) has reviewed results from the Enviro Jet Demonstration Test Report submitted on January 31, 2002.

The Enviro Jet's PCB decontamination system ("Enviro Jet process") has been described in Enviro Jet's approval application entitled "Demonstration Test Plan: Non-Thermal Solvent Spray Wash Decontamination of Polychlorinated Biphenyls (PCBs) in Natural Gas Pipeline and Non Porous Surfaces." The demonstration test took place at the KeySpan facility in Brentwood, New York from December 4 through December 7, 2001.

The results from the demonstration indicated that Enviro Jet can successfully clean metallic pipe or metallic piping (between 6 inches and 24 inches of nominal diameter) to levels below 10 micrograms per cm<sup>2</sup>.

EPA audited and inspected the Enviro Jet operation during the demonstration and verified the efficacy of the Enviro Jet process.

The approval is based upon the ability of the Enviro Jet process to safely and effectively perform the above-mentioned disposal activities on facilities including natural gas pipeline, which historically contained PCBs without such disposal activities resulting in the release of PCBs, to the environment.

In addition, the approval is based upon the Agency's conclusion that the PCB decontamination activities as demonstrated to EPA and performed according to procedures set

## CONCURRENCES

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forth in the Demonstration Test Plan do not present an unreasonable risk of injury to public health or the environment.

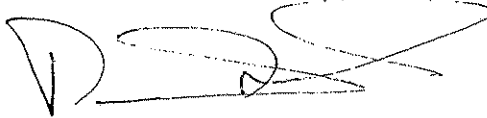
This Enviro Jet PCB decontamination approval, authorizing Enviro Jet to operate nationwide shall become effective upon signature of the Director, National Program Chemicals Division of the Office of Pollution Prevention and Toxics (OPPT) and shall be effective until May 15, 2003. This approval may be withdrawn, or further conditions may be added to it at any time EPA has reason to believe that operation of the Enviro Jet process presents an unreasonable risk of injury to public health or the environment. EPA reserves the right to withdraw this approval or impose further conditions as the result of future EPA rulemaking with respect to PCBs. Moreover, violation of any condition included as part of this approval may subject Enviro Jet to enforcement action and/or suspension or revocation of the approval. This approval may be extended for four more years if warranted by analytical results from the split samples EPA collected at the demonstration in Brentwood, New York.

It is the responsibility of Enviro Jet to comply with all applicable provisions of TSCA and the Federal PCB Regulations in cleaning natural gas pipeline as specified in the approval. Violation of any applicable provisions or conditions of the approval, EPA's determination of misrepresentation of material fact in the application and supporting material, or demonstration of past willful and knowing violations of environmental regulations may be cause for rescission of this approval. Furthermore, this approval does not relieve Enviro Jet of the responsibility to comply with all other applicable Federal, State and local regulations and ordinances regarding the transportation, siting, operation, disposal of wastes, and maintenance of the Enviro Jet Procedures.

EPA reserves the right to inspect the Enviro Jet process, including any facilities that is being decontaminated and the records which Enviro Jet is required to maintain under the Federal PCB Regulations and this approval.

Please contact Winston Lue of my staff at (202) 260-3962 if you have any questions pertaining to this approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Kling', with a large, sweeping flourish extending to the right.

David J. Kling,  
Acting Deputy Director  
Office of Pollution Prevention and Toxics

Enclosure

cc: Regional PCB Coordinators  
Regions I - X

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF  
  
ENVIRO JET TECHNOLOGIES  
  
538 EDWARDS AVENUE  
  
CALVERTON, NY 11933

APPROVAL TO DISPOSE OF  
  
POLYCHLORINATED  
  
BIPHENYLS (PCBs),

AUTHORITY

This approval is issued pursuant to Section 6 (e) (1) of the Toxic Substances Control Act of 1976 (TSCA), Public Law No. 94-469, and the Federal PCB Regulations, 40 CFR 761.60 (e) (48 CFR 13185, March 30, 1983). Background and Findings related to this approval are attached as Appendices I and II.

EFFECTIVE DATE

Enviro Jet Technologies (Enviro Jet) is the sole owner and operator of a non-thermal high pressure spray cleaning technology ('Enviro Jet Process') using Enviro Jet Mobile PCB Decontamination Units (EJMDU), where PCBs are removed from Metallic Pipe or Metallic Piping, using one or more EJMDUs. Pursuant to 40 CFR 761.60 (e) and when operated in accordance with the conditions of this approval, EPA finds that the Enviro Jet Process is effective in removal of PCBs from Metallic Pipe or Metallic Piping and does not pose an unreasonable risk of injury to public health or the environment.

This nationwide approval to decontaminate Metallic Pipe or Metallic Piping shall become effective on the date of signature by the Director of the National Program Chemicals Division of the Office of Pollution Prevention and Toxics and shall expire May 15, 2003.

DEFINITIONS

"Analytical data" means (a) a formal report from a chemical analysis laboratory or (b) appropriate chemical instrument printouts with appropriate controls, standards, and written instrumental operating parameters and conditions, or © a statement that the "assumption" rule has been used. Technical judgement or experience is not considered analytical data.

"Appropriate local jurisdiction" means the incorporated city where EJMDU may be operated, or the county, if the EJMDU will be operated outside the boundary of an incorporated city.

"Business hours" means 8:00 a.m. to 5:00 p.m. local time on weekdays except United States Government Holidays.

"Cleaning Agent" means a 10% solution of terpene hydrocarbons in water, ('Enviro Clean')

"Day" means a calendar day, unless otherwise specified.

"Decontamination" means any removal of PCBs from Metallic Pipe or Metallic Piping.

'Disposal' means treating or sending off any type of PCB wastes generated during the EJMDU process.

"Duplicate analysis" means two gas chromatographic analyses of the analyte prepared from one wipe sample.

"Frequent site changes" means site changes at a rate of more than once per week.

"Job" means all Enviro Jet disposal operations for a single customer within fifty road miles of a central location. A job may consist of Enviro Jet disposal operations at several different sites for a single customer.

"Lifetime exposure risk" means the risk to an average adult individual who is exposed to a stated average concentration of a toxic material daily over the course of a 70 year lifetime.

"Lost time injury" or "Lost workday injury" means an injury related to the operation of the EJMDU process which results in an employee not performing his/her normal assignments during the workday and/or any successive workday(s) following the day of the injury.

"Major modification" means any change to capacity, design, or efficiency of the EJMDU process, change of waste type, or any other changes significantly affecting overall performance or environmental impact.

"Metallic Pipe or Metallic Piping" means any piping between six inches and twenty four inch nominal diameter constructed from

metallic materials or including attached equipment integrated into that piping that is contaminated by PCBs.

"Minimal" with regard to an amount of PCB wastes means less than ten percent (10%) of total wastes treated.

"Mobile operations" means those operations where the EJMDU remains at a site for less than 180 consecutive days.

"Operations" means the EJMDU process of removing PCBs, treating spent cleaning solutions on site, and sending off PCBs for disposal, including set up and take down of the EJMDU as well as actual treatment.

"OPPT" means the Office of Pollution Prevention and Toxics (7404); Fibers and Organics Branch (7404); (202) 260-3933; Facsimile (202) 260-1724.

"PCB" means polychlorinated biphenyls as defined in 40 CFR 761.3.

"PCB release" and "PCB spill" have the same meaning as "spill" as defined in EPA's PCB Spill Cleanup Policy in 40 CFR 761.123.

"Permanent operations" means those operations where the EJMDU remains at a site for 180 consecutive days or longer.

"Process Failure" means the inability of the EJMDU to remove PCBs from Metallic Pipe or Metallic Piping.

"Site" means the geographically contiguous property unit (such as a single manufacturing plant) at which the Enviro Jet PCB decontamination operations are conducted. More than one pipe segment may be serviced at a single site.

"Site location" means a street address or a directional description which would allow a site to be found by an EPA inspector.

"Year" means 365 days.

CONDITIONS OF APPROVAL1. Advance Notificationa. Overview

Enviro Jet shall provide a nonconfidential, advance written notification of intent to operate to be received by the addressees (as described below) prior to the conduct of a permitted PCB decontamination activity. The addressees shall include, at a minimum: the appropriate EPA regional office, the appropriate state agency, and the appropriate local jurisdiction.

The type of written advance notification requirements is dependent upon the length of time a EJMDU is at a single site. The two categories are listed below and advance written notification requirements follow:

Mobile Operations

Permanent Operations

The information which must be included in the advance written notification for each category is described in sections 1.b.-1.d. below. Advance notification requirements may be waived at Superfund sites according to 121 (e) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and its implementing provisions at (40 CFR 300.400 (e)).

b. Mobile Operations

(1) The following information must be included in a 30-day advance written notification to the addressees required to be notified under 1.a. The information is provided for public information purposes and for facilitating scheduling of government compliance monitoring and oversight of PCB decontamination operations.

A. Company identification: Enviro Jet's and client's names including primary individuals names and telephone numbers.

B. Names, titles, addresses, and telephone numbers of the addressees required to be notified by 1.a.

C. The nature of the PCB decontamination activity, including estimates of the amount and type of Metallic Pipe or Metallic Piping (length, diameter, type of Metallic Pipe or Metallic Piping to be decontaminated) and estimates of the surface and/or condensate concentration of PCBs on and/or in (respectively) the Metallic Pipe or Metallic Piping. The estimates shall be based on any one or combination of the following:

- i. Analytical data or the results of analytical data provided by the customer; or
- ii. Enviro Jet analytical data.

D. The site location(s) and a telephone contact(s).

E. The time(s) and date(s) that the PCB decontamination activity is scheduled to take place.

An acceptable sample form for the 30-day advance written notification of intent to operate under mobile operations is included as Appendix III A.

(2) For Enviro Jet operations under Mobile Operations where there are frequent site changes, the following additional notification is required:

A. Every week Enviro Jet shall provide by telephone facsimile transmission, a two-week activity schedule to the EPA regional contact for each region where a PCB decontamination activity will occur. This two-week activity schedule shall include for each job:

- I. EPA region where the EJMDU will be located;
- ii. Most probable date that the EJMDU will be performing PCB decontamination activities;
- iii. The time(s) and date(s) the PCB decontamination activity is scheduled to take place;
- iv. The expected number of sites; and



v. Either:

(a) the county or counties where PCB decontamination activities will occur, or

(b) a notice that the EJMDU will operate within a 50-mile radius of a specific location identified by a client telephone contact and client address.

An acceptable sample form for the two-week activity schedule under mobile operations is included as Appendix III B.

B. If a change in the most probable operating date or a change in scale for a job is made more than 2 days in advance of the most probable operating date, as stated in the most recent two-week activity schedule transmitted to EPA, Enviro Jet must send a telephone facsimile message noting the change to the appropriate EPA regional contact at least 2 days in advance of the most probable operating date, as stated in the two-week activity schedule.

If the change in the most probable operating date or the change in scale is made 2 days or less in advance of the most probable operating date, as stated in the most recent two-week activity schedule transmitted to EPA by telephone facsimile transmission.

Samples of acceptable forms for the required notifications under Mobile Operations are included in Appendix III. Other forms providing equivalent information may be used.

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EPA REGIONAL CONTACTS

<u>Name, Region</u>	<u>Telefax Number</u>	<u>Contact Number</u>
Kim Tisa, Region I	(617) 918-0527	(617) 915-1527
David Greenlaw, Region II	(732) 321-6788	(732) 906-6817
Kelly Bunker, Region III	(215) 814-3114	(215) 814-2177
Craig Brown, Region IV	(404) 562-8972	(404) 562-8990
Tony Martig, Region V	(312) 353-4788	(312) 353-2291
Lou Roberts, Region VI	(214) 665-7446	(214) 665-7579
Dave Phillipi, Region VII	(913) 551-7065	(913) 551-7395
Dan Bench, Region VIII	(303) 312-6044	(303) 312-6027
Max Weintraub, Region IX	(415) 947-3583	(415) 947-4163
Dan Duncan, Region X	(206) 553-8509	(206) 553-6693

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c. Permanent Operations

Enviro Jet must submit an advance written notification of permanent operations to the addressees at least 180 days in advance of the proposed Permanent Operations at a site. When a EJMDU is to be operated at a site for 180 consecutive days or more, the following information must be included in the notification and verified by EPA to conform to the informational requirements before the 180-day review period can begin. This advance written notification shall include a site evaluation and must include the following:

- (1) All information required under items 1.b.(1) through (5) of Mobile Operations.
- (2) Additional information presented below:
  - A. estimates of fugitive emissions of PCBs and any other hazardous materials;
  - B. amounts of waste generated during the entire operation and how that waste will be disposed;
  - C. plans of action in case of an emergency (including arrangements with local fire fighters, law enforcement personnel, and public health officials);
  - D. site-specific spill prevention control and countermeasures (SPCC) plan or containment installations and procedures; and,

E. site cleanup or restoration procedures and copies of any bonds which may be required by a state or local authority or by the client for the Enviro Jet operations.

(3) Details of the Site Evaluation

The following information must be submitted to OPPT and the appropriate EPA region as part of a notice of intent to operate a EJMDU at a site for 180 consecutive days or longer. A public notice will not be published until a complete submission of these requirements has been received and approved by EPA.

A. Project Personnel

A list of names and an organizational chart, brief job description, and responsibilities for all staff to be employed by the Enviro Jet at the proposed site. In addition, names, mailing addresses, and telephone numbers of primary Enviro Jet contacts with EPA, such as environmental affairs managers or government liaison contacts. Job qualifications and training, including the time, frequency and content, must be included.

B. Facility Description

The facility description shall include details of the disposal operations as they apply to the physical layout at the disposal site. To be included are (1) a site layout, to scale, of the location where operations will occur, and (2) the location of safety equipment, including but not limited to fire protection equipment, disposal equipment, supplies, waste handling equipment, waste loading and unloading points for transportation, flood proofing protection structures, security structures.

If the disposal operation will be at a previously developed site, in addition to the above requirements, other site modifications must be described and justified. Buildings for personnel, construction, maintenance and laboratories are exempted, unless there are discharges from operations of a EJMDU to the environment. Laboratory vents, sewer discharges from the laboratory or any area that may be associated with any contact with PCBs or any hazardous waste handled or generated as the result of PCB decontamination must be discussed. Also,

discussions of all storage facilities and their containment, EJMDU process water systems, and other waste stream processing shall be included.

C. Disposal Activities to Be Conducted On-Site

A summary of the EJMDU process operations which are described in detail in the original permit application shall be submitted, not to exceed one typewritten single spaced page. Enviro Jet shall discuss activities and the amount of time involved in setting up and taking down disposal operations of the EJMDU at the site. Also, Enviro Jet shall provide a discussion of: monthly and annual amounts and concentrations of waste; amounts and concentrations of PCBs and other hazardous materials stored on site; amounts and concentrations of contained, controlled, and fugitive emissions of toxic and non-toxic materials and how contained materials will be disposed of; proposed hours of operations; and expected duration of disposal activities at the site.

D. Safety Measures

Enviro Jet must describe systems and/or structures for the detection and/or containment of leaks and hazardous wastes/by-products must be described, including EJMDU process shutdowns resulting from automated monitoring of process emissions. A brief discussion of the automatic process controls, such as those which control extreme pressure fluctuations or departure from a permitted range, must be included. The location and action plans for all other emergency equipment shall be provided. Maintenance plans and schedules shall be provided. Safety and/or quality control/quality assurance inspection schedules, procedures, and recordkeeping must be detailed.

E. Emergency Preparedness and Contingency Plans

Emergency preparedness plans must be submitted to local authorities and approved by the EPA region. These plans shall include (1) exactly what actions take place for each level of problem, (2) the names of the persons responsible for handling expected problems, and (3) facility personnel names and appropriate phone numbers for 24-hour a day contact in the event of an

emergency. Frequent problems and reasonable worst case problem scenarios such as: spills during EJMDU processing, storage, and transportation; fire; floods; and equipment malfunction resulting in personal injury must be addressed. The information shall include (1) names and phone numbers of fire, police, medical emergency contacts, and (2) training sessions, documents, or other information provided to these services.

F. Transportation Routes and Volumes to be Transported to the Site

Transportation route information shall be detailed if such routes include any roads other than interstate highways. Information shall include residential or commercial areas associated with the roads to be used by hazardous waste transporters. Information on the on-site and off-site storage of materials (including but not restricted to locations, brief description of the release control/containment measures at the storage facility, and the estimated time to be stored at the location), shall also be listed.

G. Financial Assurance and Closure

Enviro Jet shall summarize the financial assurance and closure provisions from the permit application including what situations are covered by insurance or other financial assurance and the amount of the assurance. Additional financial assurance and closure provisions for the time of extended PCB decontamination operations at the site must be described in detail.

H. Exposure Assessment

An exposure and risk assessment shall be provided for activities included in normal EJMDU operations and in the event of reasonable worst case accidents/problems. The exposures shall include those resulting from: storage, contained and fugitive emissions, handling and processing PCBs and other hazardous waste/process materials, operation of industrial equipment and transportation related releases such as spills and collisions.

The information shall include an assessment of risk to the public from:

- i. lifetime exposure to EJMDU operations;
- ii. the transport of PCB waste from the site; and,
- iii. on-site storage of PCB waste for disposal.

Situations which are not considered reasonable worst case situations are a double tornado, a terrorist attack, a nuclear strike, a plane crash into the facility, a meteor strike, and damage from an earthquake when there is not an active major geological fault near enough to expect major plant facility damage and release of PCB material.

(4) Public Participation

Enviro Jet shall provide a public notice in the local newspaper initiating a 30-day comment period for public review of appropriate permit related documents (such as the sanitized non-confidential business information) permit application, any existing PCB decontamination permit, any existing draft revised PCB decontamination permit, and the site evaluation). The notice shall also advise that, if EPA determines that there is sufficient public interest, a public meeting will be held on a specified date and at a specified place and time not more than 45 days after the initial public notice.

After Enviro Jet has given the EPA regional office, the state agency, and the local jurisdiction a notice of intent to operate at a site for at least 180 consecutive days or more, and once OPPT and the local EPA region are satisfied that the site specific information submitted in this notice meets the requirements set forth in paragraphs (1), (2) and (3) above, a 180-day public notification and review process shall begin. A sample notification is attached as Appendix III D.

Based on the comments and questions received during the 30-day comment period, the EPA region will determine whether a public meeting is necessary. The public meeting shall be held: (a) to discuss comments made by the public during the 30-day comment period and notification for the public meeting; (b) to allow the

public to make comments on the proposed operations and site; and © to allow the public to ask questions of EPA representatives on the proposed operations.

The public meeting will be hosted by the OPPT. OPPT and the EPA region may collectively determine what the schedule and the agenda for the public meeting shall be.

Not more than 150 days after the close of the public comment period, EPA shall make a decision on the authorization of Permanent Operations and on what additional conditions, if any, shall be imposed on Enviro Jet Permanent Operations. The decision will be based on review of comments during the 30-day comment period and comments made during the public meeting. The decision could be that Enviro Jet may begin operations without additional permit conditions, or the decision could be made to require additional site-specific permit conditions which must be met before Permanent PCB decontamination Operations may begin at the site.

d. Requirements for Changing from Mobile Operation Mode to Permanent Operation Mode

Whenever a EJMDU originally projected to be located at a single site for less than 180 consecutive days as Mobile Operations, at some point before 180 consecutive days into the operations Enviro Jet determines that the EJMDU will be located at the site for 180 consecutive days or longer, Enviro Jet must proceed as follows:

(1) Enviro Jet must immediately provide written and telephone notification of this change to the EPA Headquarters' Office of Pollution Prevention and Toxics (OPPT) and the appropriate EPA regional office.

(2) Upon submission of this notification, Enviro Jet shall cease PCB decontamination operations after the 180th consecutive day unless Enviro Jet provides OPPT and the EPA regional office a site evaluation, which includes all information prescribed in sections c.(1) -

(3) above. The information must include updated material for the operation in question, including any modifications, to allow EPA to consider operations for the time period beyond the 180 consecutive days.

(3) Upon review and acceptance of the site evaluation, Enviro Jet must provide for public notice of the applications for approval and a 30-day comment period

along with an opportunity for a public meeting or hearing as described in section 1.c.4 above.

(4) When the comment period is concluded, OPPT and the regional office will determine, in its discretion, that operations may proceed beyond 180 consecutive days. EPA will notify Enviro Jet in writing of its approval to operate beyond 180 consecutive days.

## 2. Agency Approvals or Permits

Prior to commencing operations, Enviro Jet shall obtain any necessary Federal, State or local permits or approvals. During the course of operations, Enviro Jet shall comply with all conditions and requirements of such permits or approvals. Copies of such permits shall be forwarded to the Chief, Fibers and Organics Branch (Mail Code 7404) EPA Headquarters. Waste materials containing PCBs in the concentration range of approximately 200 ppm of PCBs may also contain levels of hexachlorobenzene at levels regulated for disposal under the Toxicity Characteristic Revisions (55 Federal Register, 11796, March 29, 1990 of the Resource Conservation and Recovery Act (RCRA) regulations.

This Approval does not shield Enviro Jet from all applicable Federal, State and Local regulations and ordinances.

## 3. Authorized Use of the Enviro Jet Mobile PCB Decontamination Unit

Enviro Jet is authorized to use its Mobile PCB Decontamination Unit (EJMDU) and its non-thermal high pressure spray cleaning technology, to clean Metallic Pipe or Metallic Piping between 6 and 24 inches in diameter. Enviro Jet is also authorized to use its EJMDU to clean Metallic Pipe or Metallic Piping, without removing them from the ground. Decontamination criteria shall be according to either performance-based procedures as described in Condition 4 or measurement-based conditions as described in Condition 5 below.

## 4. Performance-Based Cleaning of Metallic Pipe or Metallic Piping

In Condition 3, the EJMDU is authorized to use its non-thermal high pressure spray cleaning technology to decontaminate six to twenty four inch Metallic Pipe or Metallic Piping as shown in the December 4-7, 2001 field demonstration. The EJMDU was demonstrated to decontaminate the six to twenty four inch Metallic Pipe or Metallic Piping to levels below 10 micrograms per 100 square centimeters under specific operating conditions as shown below. The regulatory status of the



decontaminated Metallic Pipe or Metallic Piping is described under Condition 6.

Metallic Pipe or Metallic Piping six to twenty four inch in diameter (Metallic Pipe or Metallic Piping) is decontaminated by high pressure spraying the pipe with cleaning agent using the pumping equipment described in the Demonstration Test Report dated January 31, 2001. The cleaning agent used is a 10% terpene hydrocarbon-based solution ('Enviro Clean'). The process shall utilizes a 2000-psi pump, (operating between 1500-2000 psi) that propels a radial vortex nozzle through the pipe segment. The Enviro Clean solution shall be applied by the nozzle at a rate of 40 gpm under pressure. The total volume of Enviro Clean solution applied to the pipe segment shall be a minimum of 10% of the internal volume for each pipe segment.

The decontamination process utilized in the Demonstration included three wash cycles. Note that each wash cycle consists of one pass downstream and one pass upstream of the pipe. Please note that for Metallic Pipe or Metallic Piping pipes of diameter 6-24 inches, the nozzle must be operated at a minimum pressure of 1500 psi, and at an upstream linear velocity of 3 feet per second through the pipe and downstream linear velocity of 1 foot per second to be decontaminated. The type of nozzle used shall be US Jetting™ Grenade Bomb Nozzle, minimum outlet pressure of 1500 psi.

Enviro Jet shall use three wash cycles, minimum, in decontaminating Metallic Pipe or Metallic Piping if it does not have scale, grit, oil, or other particles on the internal surface. In the event of the presence of scale, grit, oil, and other sediments, then five cycles shall be used to ensure total decontamination. For purposes of determining whether 3 or 5 cycles are required, Enviro Jet shall monitor the sediment filters on EJMDU. If the sediment filter exceeds 15 psi at any time during the three passes, significant sediment is present and five (5) passes shall be required. A visual inspection of the pipe shall also be conducted and recorded on the project check list.

#### 5. Measurement-Based Cleaning of Metallic Pipe

Enviro Jet is only authorized to clean Metallic Pipe or Metallic Piping six to twenty four inches, whether in place in the ground or removed from the ground.

Enviro Jet shall take surface measurements by wipe sampling and the wipe samples wipes shall be chemically analyzed according to the procedures submitted in the permit application dated

November 19, 2001 and the demonstration test plan dated January 31, 2002.

Enviro Jet shall decontaminate using a minimum of three passes, stop the process and the pipe wipe sampled. Enviro Jet shall measure the surface concentration according to following wipe sampling procedures: One wipe sample is required for every 100 square feet or 9.0 square meters of pipe surface to be decontaminated.

If pipes to be cleaned are cut into convenient lengths and are not buried, Enviro Jet shall take one sample for each length of pipe. If the pipe is not cut into convenient lengths and/or is buried, Enviro Jet shall take one sample will be taken for every 100 linear feet of pipe, regardless of the diameter of the pipe.

6. Disposal/Reuse of Decontaminated Material

Based on PCB surface concentration measurements, specified articles shall be placed into the disposal categories (a. - c.) Below if both Metallic Pipe or Metallic Piping has been decontaminated according to the measurement-based conditions described in Condition 5;

a. Metallic Pipe or Metallic Piping, removed from service and having surface concentrations greater than  $10 \text{ ug}/100 \text{ cm}^2$  as determined by methodology described in Condition 5, are regulated for disposal. Such Metallic Pipe or Metallic Piping shall be stored and disposed of according to 40 CFR 761.65 and 761.60.

b. Metallic Pipe or Metallic Piping which are left in place, having surface level concentrations below  $10 \text{ ug}/100 \text{ cm}^2$  are not regulated for disposal or distribution in commerce and reuse except where those uses are associated with food, feed or drinking water.

C. Failure to clean any regulated Metallic Pipe or Metallic Piping to below the  $10 \text{ ug}/100 \text{ cm}^2$  level in a performance-based procedure, subjects the equipment to TSCA use, distribution in commerce, and disposal requirements based on the measured concentration of PCBs as described in Condition 5. However, an EPA consent agreement/decreed may require/allow surface levels or residual PCB levels other than those authorized by this approval. The procedures for determining whether or not the EJMDU process has met the specific surface level requirements for a measurement-based procedure are described in Condition 5.

7. Cleaning Agent Quality and Restrictions

Prior to decontamination, samples of the Enviro Clean cleaning agent from all parts of the EJMDU process shall be collected and analyzed using gas chromatography procedures specified in EPA-approved procedures outlined in the following documents:

"Guidelines for PCB Destruction Permit Applications and Demonstration Test Plans for PCB Disposal by Non-Thermal Alternative Methods," August 21, 1986;

"Recommended Analytical Requirements for PCB Data Generated On-Site During Non-Thermal PCB Destruction Tests," US EPA, March 19, 1986 (Draft);

"Quality Assurance and Quality Control Procedures for Demonstrating PCB Destruction in Filing for PCB Disposal Permit," US EPA, June 28, 1983 (Draft); and

"Interim Guidelines and Specifications for Preparing Quality Assurance Project Plans," QAMS-005/80, Office of Research and Development, US EPA, December 29, 1980.

For Metallic Pipe or Metallic Piping, the performance-based process demonstrated from December 4-7, 2001 used Enviro Clean containing less than 2 ppm at the beginning of the first of three passes. Therefore, when cleaning Metallic Pipe or Metallic Piping, if the PCB concentration in process cleaning agent is 2 ppm or greater, then the Enviro Clean fluid shall not be further used for the performance-based cleaning of Metallic Pipe or Metallic Piping, but may be filtered to less to 2 ppm and re-used.

Used Enviro Clean cleaning agent containing 2 ppm PCBs and greater may be filtered and re-used. If the cleaning agent will be disposed of, it shall be sent to a disposal facility that complies with any applicable Federal, State or local regulations.

These liquids at these concentrations may be transported from one site to another so long as they are transported and stored in USDOT-approved containers or tanks.

8. Disposal of EJMDU Aqueous Liquids (Process Waters)

All EJMDU aqueous liquids which are process waters (but not Enviro Clean cleaning agent) that have been in contact with any PCB articles such as piping and organic liquids containing 3 ppb and greater PCBs shall be filtered through an activated carbon filter until the treated process water is less than 3 ppb. These process waste waters shall have a pH range of 6-9. This treated process water at less than 3 ppb PCBs may then be sent to a

Public Owned Treatment Works (POTW) or an industrial waste water treatment facility which has a National Permit Discharge Elimination System (NPDES) permit with a numeric limit to accept the level of PCBs in the aqueous liquids and discharge water containing less than 3 ppb of PCBs. If the process water is sent to a facility with a NPDES permit, Enviro Jet shall keep copies of manifests, the amount of water processed, the concentration of PCBs in the water to be processed, and the NPDES permit received by the POTW. Enviro Jet may also send the treated process water at less than 3 ppb to a RCRA approved disposal facility

9. EJMDU Decommissioning/Malfunction

If the surface sampling, as described in Condition 5, reveals that PCBs in the Metallic Pipe or Metallic Piping have not been adequately removed to levels below 10 ug/100 cm<sup>2</sup> after EJMDU repeated processing, the affected EJMDU shall cease operation and Enviro Jet and or its customer must dispose of the metallic piping in question as if it/they contained PCBs at the level of the original fluid or wipe sample before Enviro Jet ever process that Metallic Pipe or Metallic Piping. Enviro Jet must notify the EPA Regional PCB Disposal Coordinator in the applicable EPA Region prior to moving the EJMDU off site. Enviro Jet shall determine if the unsuccessful processing is due to contaminants in the fluid or EJMDU process failure. If the EJMDU successfully decontaminate Metallic Pipe or Metallic Piping from the next three consecutive runs, the cause of the unsuccessful processing shall be assumed to be contaminants in the fluid and not EJMDU process failure. If the EJMDU process cannot successfully decontaminate the PCB metallic piping the affected EJMDU must cease operation and Enviro Jet must notify the Chief, Fibers and Organics Branch at (202) 260-3933, as well as the Regional Coordinator during the next business day, and file with each of them a written report within 7 days. Repeated EJMDU process failures are signs of process malfunction and must be reported so that EPA is able to maintain accounting of working commercial EJMDUs. The affected EJMDU shall not resume operation until the problem has been corrected to the satisfaction of the Chief, Fibers and Organics Branch. A EJMDU which has been decommissioned must also be reported immediately to the Chief, Fibers and Organics Branch at EPA Headquarters and also to the Regional PCB Coordinator for the EPA Region in which such EJMDU is decommissioned.

10. EJMDU Process Waste Restrictions

All wastes generated by the EJMDU process (i.e., filter media, sludges, water or other effluents, rags, spill containment plastic sheeting, etc.) shall be treated or disposed of as if the waste stream contained the PCBs as required by 40 CFR 761.

11. EJMDU Process Monitoring/Recordkeeping

Provisions must be made to assure that the following information is suitably monitored and recorded for PCBs processed, such that materials harmful to health or the environment are not inadvertently released:

- a. name, address, and telephone number of the EJMDU operator and supervisor;
- b. the name and business address of the person or firm whose PCB-containing Metallic Pipe or Metallic Piping PCB is being processed;
- c. a description of the Metallic Pipe or Metallic Piping including the diameter and length of the Metallic Pipe or Metallic Piping in the system;
- d. the dates the EJMDU is on the site;
- e. the estimated quantity and PCB concentration of Enviro Clean cleaning agent charged into Metallic Pipe or Metallic Piping;
- f. the estimated quantity and PCB concentration of spent Enviro Clean cleaning agent, Metallic Pipe or Metallic Piping, waste water, and other treated materials produced during EJMDU processing/cleaning of each Metallic Pipe or Metallic Piping;
- g. the date, time and duration of treatment for each Metallic Pipe or Metallic Piping;
- h. a copy of the gas chromatogram to determine the final concentration of the Enviro Clean cleaning agent or waste water not sent for disposal;
- i. records of the estimated quantity and PCB concentration of wastes produced, the method of disposal and location of the disposal facility for each waste;
- j. certificate of destruction from the TSCA-permitted facility and the equivalent acknowledgment of receipt/discharge from the facility with NPDES permit for all PCB wastes disposed.

Disposal recordkeeping documents must be compiled within 60 days of the testing date, must be kept at one centralized location, and must be made available for inspection by authorized representatives of the EPA. Such documents shall be maintained for at least five years starting from Enviro Jet's commercial job. Enviro Jet must also maintain the records required by 40

CFR 761.180(f). If Enviro Jet or its authorized agents terminate business, these records or their copies must be submitted to the Director of National Program Chemicals Division.

In addition, Enviro Jet must maintain, aboard the EJMDU, a record of the PCB decontamination services performed by the EJMDU during the previous month. These records must be available for inspection by authorized representatives of EPA.

#### 12. PCB Releases

In the event Enviro Jet or an authorized field supervisor of the EJMDU believes, or has reason to believe, that a release of PCBs has occurred from the EJMDU during processing, Enviro Jet must inform the appropriate EPA Region by telephone within 2 business hours from the time of discovery. Any spills of PCBs or other regulated fluids shall be promptly controlled and cleaned up as provided in the Enviro Jet Spill Prevention Control and Countermeasure Plan, and in accordance with the requirements for PCB spill cleanup Policy, 40 CFR 761.125. Cleanup shall begin immediately and must comply with the requirements for PCB spill cleanup Policy, 40 CFR 761.125.

A written report describing the incident must be submitted to the appropriate EPA Regional Contact, the Regional Administrator, and the Director, National Program Chemicals Division of OPPT by the close of business on the regular business day following the incident. In addition, a written report describing the spill, operations involved, cleanup actions and changes in operation to prevent such spills in the future must be submitted to the appropriate EPA Regional Contact, Regional Administrator, and Director, CMD of OPPT within 5 business days.

PCB spills must be reported in accordance with the spill reporting requirements prescribed under Section 311 of the Clean Water Act for discharges to navigable waters and under the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) for discharges to other media.

#### 13. Safety and Health

Enviro Jet shall comply with all applicable safety and health standards, as required by Federal, State and local regulations and ordinances. Any lost time injury must be reported to the appropriate EPA Regional Contact, Regional Administrator, and Director, CMD of OPPT by the end of the next business day.

14. Facility Security

The EJMDU shall be secured (such as a fence, alarm system, or barricades, as appropriate) at each site to restrict or control public access to the area.

15. Reporting

Any reports required by Conditions (1), (9), (12), and (13) are to be submitted by telephone to the appropriate regional PCB Disposal Site Coordinator within the time frame specified. In addition, Enviro Jet shall file written reports with the Regional Administrator of the appropriate EPA region, and the Director of the National Program Chemicals Division within the time frame specified in the aforementioned conditions.

16. Personnel Training

Enviro Jet shall be responsible for ensuring that the supervisory personnel directly involved with the handling or disposal of PCB contaminated Metallic Pipe or Metallic Piping and Enviro Jet cleaning agent using the EJMDU process are demonstrably familiar with the general requirements of this approval. At a minimum, this must include:

- a. the types of Metallic Pipe or Metallic Piping and Enviro Jet cleaning agent which may be treated using the EJMDU;
- b. basic recordkeeping requirements under this approval and the location of records;
- c. notification requirements;
- d. waste disposal requirements for EJMDU process and by-product wastes generated during the operation of the EJMDU process; and
- e. reporting requirements.

In this regard, Enviro Jet must maintain on-site during the operations of its EJMDU a copy of this approval; the spill prevention and cleanup plan; and sampling and analytical procedures used to determine PCB concentrations.

17. Equipment Transport

PCB-contaminated equipment (i.e., pumps, tanks, etc.) and liquids on the EJMDU shall be transported off-site in accordance with 40 CFR Section 761.40 and the U.S. Department of Transportation (USDOT) requirements of Title 49 Part 172. Such requirements include placarding the mobile facility and labeling all PCBs. Enviro Jet must comply with vehicle placarding

requirements unless EJMDU process equipment (i.e., pumps, feed hoses, pipes etc.) on the EJMDU are decontaminated in accordance with the procedures described in Enviro Jet's permit application and test plan, prior to transportation off-site.

18. Financial Assurance

Enviro Jet shall incorporate financial assurance of closure and liability coverage provisions into its closure plan. These provisions must be equivalent to those specified in 40 CFR Part 264, issued under Subpart H of the Resource Conservation and Recovery Act (RCRA), and provide funds for:

- a. proper closure of the EJMDU and support operations; and
- b. compensating others for bodily injury and property damage caused by accidents arising from operations of the EJMDU.

Enviro Jet must submit annual updates to the Director, National Program Chemicals Division of the financial assurance of closure and liability coverage provision described herein.

19. Additional EJMDU

Enviro Jet must file a written pre-operation report with the Director of the National Program Chemicals Division within thirty (30) days from the date of manufacture of each additional EJMDU which is to be operated in the United States. This report shall contain the following information:

- a. date of manufacture of the EJMDU;
- b. identification and/or serial number of the new EJMDU;
- c. certification by an independent, registered professional engineer to the effect that the EJMDU is substantially identical to the original EJMDU in terms of engineering design, hardware, EJMDU process capacity, quality and workmanship;
- d. certification by the chief executive officer of Enviro Jet signifying that the EJMDU construction has been completed in such manner; and
- e. a list of all substantive and non-substantive changes made to the design and construction of any new EJMDU which is not identical to the original EJMDU.



20. EJMDU Process/Equipment Modifications

No major modifications may be made to the EJMDU design, as described in the application and demonstration plan for this approval, without written approval of the Director of the National Program Chemicals Division.

21. Ownership Transfer

Enviro Jet must notify EPA at least 30 days before transferring ownership of the EJMDU process. Enviro Jet must also submit to EPA, at least 30 days before such transfer, a notarized affidavit signed by the transferee which states that the transferee will abide by Enviro Jet's EPA approval. Within 30 days of receiving such notification and affidavit, EPA will issue an amended approval substituting the transferee's name for Enviro Jet's name, or may require the transferee to apply for a new PCB decontamination approval. In the latter case, the transferee must abide by Enviro Jet's approval until EPA issues the new approval to the transferee. Should Enviro Jet fail to provide EPA with the required written documentation of the transfer or to provide this documentation within the specified time frame, this approval shall be null and void. In any instance, Enviro Jet must maintain its financial assurance mechanism in full force and effect until release, in writing by the Director, National Program Chemicals Division.

22. Approval Severability

The conditions of this approval are severable, and if any provision of this approval or any application of any provision is held invalid, the remainder of this approval shall not be affected thereby.

23. Approval Expiration Date

This approval shall expire on May 15, 2003. For an approval renewal, EPA may require additional information and/or testing of the EJMDU process. To continue the effectiveness of this approval pending EPA action on reissuance, Enviro Jet must submit a renewal request in writing to EPA at least 90 days, but not more than 180 days, prior to the expiration date of this approval.

24. Compliance with Federal Regulations

Enviro Jet shall comply with all applicable requirements of the Federal PCB Regulation, 40 CFR Part 761, in operation of the EJMDU. Particular note shall be given to:

- a. 40 CFR, section 761.65 - storage for disposal;

- b. 40 CFR, section 761.79 - decontamination; and
- c. 40 CFR, section 761.180 - records and monitoring.
- d. 40 CFR, section 761, Subpart J, PCB waste disposal - records and reports.

25. Previous Approvals

This approval shall supersede all previous U.S. EPA Headquarters and/or U.S. EPA Regional PCB decontamination approvals or amendments for the EJMDU process.

APPROVAL

1. Approval to dispose of PCBs is hereby granted to Enviro Jet Technologies (Enviro Jet) of Calverton, New York, subject to the conditions expressed herein, and consistent with the materials and data included in the approval application filed by the company. EPA reserves the right to impose additional conditions or otherwise modify this approval when it has reason to believe that the continued operation of the Enviro Jet Mobile PCB Decontamination Unit (EJMDU) presents an unreasonable risk to public health or the environment or if from time to time EPA modifies the rules and regulations governing this approval. Any such proposed additional conditions shall be preceded by reasonable advance notice to Enviro Jet and opportunity for Enviro Jet to comment on the proposed modifications.


Any departure from the conditions of this approval or the terms expressed in the application must receive prior written authorization of the Director, National Program Chemicals Division of the Office of Pollution Prevention and Toxics. In this context, "application" shall be defined as all data and materials which have been received by EPA from Enviro Jet regarding the EJMDU process.

2. This approval to dispose of PCBs does not relieve Enviro Jet of the responsibility to comply with all applicable Federal, State and local regulations. Violations of any applicable regulations may be subject to enforcement action, and may result in termination of this approval. This approval may be rescinded at any time for failure to comply with the terms and conditions herein, failure to disclose all relevant facts, or for any other reasons which the Director, National Program Chemicals Division deems necessary to protect public health and the environment.

3. Enviro Jet shall be responsible for the actions of any authorized EJMDU process employees when those actions are within the scope of operating or moving the equipment related to performance of the EJMDU process, and Enviro Jet shall assume full responsibility for compliance with all applicable Federal, State and local regulations including, but not limited to, any advance or emergency notification and accident reporting requirements.

4. EPA reserves the right for its employees or agents to inspect Enviro Jet PCB decontamination activities at any location or reasonable time.

MA 2 2002  
Date /

  
\_\_\_\_\_  
David J. Kling,  
Acting Deputy Director  
Office of Pollution  
Prevention and Toxics

## APPENDIX I

### TO THE ENVIRO JET APPROVAL TO DISPOSE OF POLYCHLORINATED BIPHENYLS

#### BACKGROUND

Section 6(e)(1)(A) of the Toxic Substances Control Act (TSCA) requires that EPA promulgate rules for the disposal of polychlorinated biphenyls (PCBs). The rules implementing section 6(e)(1)(A) were published in the Federal Register on May 31, 1979 (44 FR 31514) and recodified in the Federal Register of May 6, 1982 (47 FR 19527). Those rules require, among other things, that various types of PCBs and PCB Articles be disposed of in EPA-approved landfills (40 CFR 761.75), incinerators (40 CFR 761.70), high efficiency boilers (40 CFR 761.60), or by alternative methods (40 CFR 761.60(e)) that demonstrate a level of performance equivalent to EPA-approved incinerators or high efficiency boilers. The May 31, 1979 Federal Register also designated Regional Administrators as the approval authority for PCB disposal facilities.

On March 30, 1983, EPA issued a procedural rule amendment to the PCB rule (49 CFR 13181). The procedural rule change transferred the review and approval authority of mobile and other PCB disposal facilities that are used in more than one region to the Office of Pesticides and Toxic Substances (OPTS). The purpose of the amendment was to eliminate duplication of effort in the regional offices and to unify the Agency's approach to PCB disposal. The amendment gives the Assistant Administrator authority to issue nationwide approvals (i.e., approval which will be effective in all ten EPA regions) to mobile and other PCB disposal facilities that are used in more than one region.

EPA received an application dated November 19, 2001 from Enviro Jet for a permit to clean PCB-contaminated Metallic Pipe or Metallic Piping. Enviro Jet's Demonstration Plan was submitted to EPA on January 31, 2002. From December 4-7, 1992 Enviro Jet demonstrated the EJMDU process on Metallic Pipe or Metallic Piping between 6 to 24-inches in diameter at the KeySpan facility in Brentwood, New York.

The findings presented in APPENDIX II below are for the Enviro Jet PCB decontamination demonstrations conducted during December 2001. The complete, acceptable demonstration test reports dated January 31, 2002 is in EPA's files.

## APPENDIX II

### TO THE ENVIRO JET APPROVAL TO DISPOSE OF POLYCHLORINATED BIPHENYLS

#### FINDINGS

1. Enviro Jet Technologies (Enviro Jet), of Calverton, New York has demonstrated non-thermal high pressure spray cleaning technology, the Enviro Jet Mobile PCB Decontamination Unit (EJMDU) whereby PCB articles, mainly contaminated Metallic Pipe or Metallic Piping is decontaminated to levels below 10 micrograms per 100 square centimeters (10 ug/100 cm<sup>2</sup>).

2. The Enviro Jet decontamination process for Metallic Pipe or Metallic Piping six and twenty four inches in diameter includes the extraction and removal of PCBs by high pressure spraying with a terpene-based cleaning agent.

The EJMDU procedure for cleaning Metallic Pipe or Metallic Piping consists of spraying the interior surface with the cleaning agent through a US Jetting Grenade Bomb Nozzle high-pressure nozzle.

3. The EJMDU process includes a system whereby all used cleaning agent is pumped through sediment filters. Used cleaning agent is analyzed for PCB content and is either re-used or, if it contains a PCB concentration of less than 2 ppm, if it is greater than 2 ppm, it may be filtered by Enviro Jet or disposed of in a facility that complies with appropriate Federal, State and local regulations.

4. Only operation of the EJMDU process by Enviro Jet personnel has been demonstrated to the EPA. Therefore, this permit only applies to EJMDUs operated by Enviro Jet personnel. Enviro Jet-manufactured EJMDUs under lease to other companies or persons are not approved for operation under this permit.

5. The EJMDU is a completely enclosed mobile process that is designed to prevent any release of PCBs to air, water, or to surfaces. The EJMDU was developed by Enviro Jet and KeySpan. From the results of the demonstrations conducted from December 4-7, 2001, the decontamination process is effective in removing PCBs from:

a. Metallic Pipe or Metallic Piping 6-24 inches in diameter to below 10 micrograms/100 square centimeter using performance-based cleaning.

b underground metallic pipelines to below 10 micrograms/100 square centimeters.

Further details of the methods and equipment used in the cleaning of Metallic Pipe or Metallic Piping, are included in the EJMDU process Demonstration Test Plan on file at EPA Headquarters.

6. The EJMDU is designed with shut-off valves at key locations and other safety features which will act to prevent spills into the environment. The EJMDU is housed on a single chassis design and shall be operated in a restricted area.

7. The EJMDU is a closed system and does not emit harmful materials into the air, water, soils, or other surfaces. The permit application and process demonstration test plan state that both the operators of the EJMDU and persons conducting sampling of the EJMDU use specified safety procedures and have proper protective clothing to minimize worker exposure.

Any waste streams from the process will be packaged in Department of Transportation (DOT) approved packaging containers. The containers will include appropriate liquid transport in bulk and/or drums of 55 gallon or 30 gallon size and/or 1 to 5 gallon carboys placed in an overpack 55 or 30 gallon drum with absorbent materials sufficient to absorb twice the volume of the liquids present, as appropriate. Absorbent wastes shall be packaged and handled according to the requirements for PCB containing solids. The liquid and solid wastes will be disposed of according to the disposal requirements of 40 CFR 761.

8. The EJMDU process has shown to have a level of performance equivalent to that of thermal destruction methods (incinerators and high efficiency boilers). Under EPA regulations (40 CFR 761.60(e)), many factors are used to determine the appropriate destruction equivalency goals for alternate PCB destruction methods. Submissions from Enviro Jet during the previous permit application process have indicated that the decontamination methods meet the standards set by an EPA-approved incinerator or high efficiency boiler in the efficiency of disposal. Furthermore, the EJMDU is designed to protect workers from PCB exposure and precludes any apparent release of PCBs to the environment.

9. Therefore, EPA finds that the operation of the Enviro Jet Pcb decontamination method, as demonstrated to the EPA, does not pose an unreasonable risk of injury to human health or the environment.

10. EPA does not take the responsibility for any damage that the Enviro Jet cleaning agent might cause to any item or equipment as a result of using the EJMDU process.

APPENDIX III A

TO THE ENVIRO JET APPROVAL TO DISPOSE OF POLYCHLORINATED  
BIPHENYLS

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SAMPLE EJMDU PROCESS 30-DAY ADVANCE NOTIFICATION FORM

Client Name:  
Client Address:

Enviro Jet Contact:  
Phone:

Contact:  
Phone:

Type of PCB Disposal Activity:

Amount and Type of PCB Material:

PCB Concentration Range:

Scheduled Time(s) and Date(s):

Contacts and Phone:

EPA - Washington, D.C.  
Chief, Fibers and Organics Branch (7404)  
401 M Street S.W.  
Washington, DC 20460  
202-260-3933

State Agency

EPA Region

Local

Site Locations:



APPENDIX III B

TO THE ENVIRO JET APPROVAL TO DISPOSE OF POLYCHLORINATED  
BIPHENYLS

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SAMPLE EJMDU PROCESS TWO WEEK ACTIVITY SCHEDULE FORM

Period Covered:

EPA Region	Most Probable Operating Date	Scheduled Date(s) & Time(s)	No. of Sites	County(s) of Operation or Central Location & Contact Phone No.
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Week No. 1:

Week No.2:

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APPENDIX IIID

NOTICE OF INTENT TO OPERATE AND PUBLIC MEETING

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
6TH AND WALNUT STREETS  
PHILADELPHIA, PENNSYLVANIA

Date of this notice: December 26, 1993

Public Notice No: TSCA 1002

The Company XYZ, which is located at 12345 Main Street, Anytown, PA 67890 proposes to commence permanent operations for the storage and destruction PCBs wastes. A TSCA permit was granted to XYZ, Inc. on June 1, 1992 under the authority of the Toxic Substances Control Act.

Persons wishing to comment on the intent to commence permanent operation must submit in writing. Written comments must be sent to United States Environmental Protection Agency, 6th and Walnut Streets, Philadelphia, PA 19106, Attention: Joe Green (3TS9) and must be received by EPA on or before January 25, 1994.

If the written comments warrant a public meeting, then it will be held by EPA to receive such comments on February 10, 1994 in the JFK High School located at 1 Eagle Way, Chester, PA at 7:00 p.m.

All comments should address the appropriateness of the decision to grant permanent operations to XYZ. All comments must raise ascertainable issues and should be accompanied by all reasonably available arguments, factual grounds and supporting material. It is EPA's intent to limit comments at the meeting to a maximum of five minutes per speaker so persons wishing to participate in the hearing are encouraged to prepare written material to be submitted along with any oral comments.

All written comments received by the above date and all comments received at the meeting will be considered in the formulation of final determination regarding permanent operations. After considering all comments and the requirements and policies in TSCA and its implementing regulations, the EPA Regional Administrator will make a decision regarding permanent operations.

The administrative record, including the application, all data submitted by the applicant, the fact sheet, the approval, maps showing the exact facility locations and comments received and copied at EPA Region III, 6th & Walnut Streets, Philadelphia, PA

19106, between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A copying machine will be provided for public use at a charge per page. Any person desiring further information, copies of portion of the administrative record, or an appointment to review the record should contact Joe Green at the above address or call (215) 597-1234.

An additional copy of the application, approval and fact sheet will be available for review at the Pennsylvania Department of Environmental Resources, Solid Waste Division, 123 Main St., Philadelphia, PA 19111.